

## Department of Agriculture - Office of Commodity Development and Promotion

## TITLE 3. AGRICULTURE

## CHAPTER 6. DEPARTMENT OF AGRICULTURE

## OFFICE OF COMMODITY DEVELOPMENT AND PROMOTION

*Title 3, Chapter 6, consisting of Section R3-6-101, adopted by final rulemaking at 6 A.A.R. 45, effective December 8, 1999 (Supp. 99-4).*

*Former Title 3, Chapter 6, Article 1, Sections R3-6-101 through R3-6-109, renumbered to Title 3, Chapter 2, Article 9, Sections R3-2-901 through R3-2-909 (Supp. 91-4).*

## ARTICLE 1. MARKETING

*Article 1, consisting of Section R3-6-101, adopted by final rulemaking at 6 A.A.R. 45, effective December 8, 1999 (Supp. 99-4).*

Section  
R3-6-101. Certificate of Free Sale

## ARTICLE 2. JOINT-VENTURES

*Article 2, consisting of Sections R3-6-201 through R3-6-204, adopted by final rulemaking at 6 A.A.R. 1573, effective April 5, 2000 (Supp. 00-2).*

Section  
R3-6-201. Definitions  
R3-6-202. Joint-venture Procedures  
R3-6-203. Standards for Participants  
R3-6-204. Conditions of Participation

## ARTICLE 1. MARKETING

## R3-6-101. Certificate of Free Sale

A. Any person manufacturing or distributing a consumable product in Arizona and who wants to sell it domestically or abroad, may apply to the Department for a Certificate of Free Sale. If an applicant is a subsidiary of a corporation, the application will be accepted only from the parent company. The application shall contain:

1. The name, address, telephone, and facsimile number of the company;
2. The name of the contact person;
3. A list of the consumable products manufactured, distributed, or sold in Arizona;
4. The printed name, signature, and social security number of the responsible party;
5. The country of export, if applicable;
6. The fee prescribed in subsection (B);
7. Copies of 3 different invoices or bills-of-lading from the 3 months preceding the application; and
8. The purchaser's telephone number cited on each invoice or bill-of-lading.

## B. Fees.

1. Certificate of Free Sale: \$25 for each 100 products, plus the cost of postage;
2. Duplicate certificates, if requested within 3 months of the original certificate issue: \$1 per page, plus the cost of postage.

## Historical Note

New Section adopted by final rulemaking at 6 A.A.R. 45, effective December 8, 1999 (Supp. 99-4).

## ARTICLE 2. JOINT-VENTURES

## R3-6-201. Definitions

The following term applies to this Article:

"Joint-venture activity" means an advertising or promotional activity of an Arizona agricultural product, by the Department and 1 or more businesses or commodity groups.

## Historical Note

New Section adopted by final rulemaking at 6 A.A.R. 1573, effective April 5, 2000 (Supp. 00-2).

## R3-6-202. Joint-venture Procedures

Any business or commodity group may apply to participate in a joint-venture activity by submitting an application to the Department. The application shall contain:

1. The name, title, address, and telephone number of the applicant;
2. The applicant's social security number, if applying as an individual;
3. The title of the proposed joint-venture activity;
4. The beginning and ending dates of the joint-venture activity;
5. The name, address, and telephone number of the contact person, if different from the person named in subsection (1);
6. An in-depth description of:
  - a. The joint-venture activity objectives, including specific need, problem, or opportunity the proposed joint-venture activity will address, and the agricultural importance of implementing the joint-venture activity;
  - b. The overall background and approach used to address the need or opportunity;
  - c. The economic development potential of the joint-venture activity measured in terms of job creation, capital investment, or other identifiable economic joint-venture activity;
  - d. A statement regarding the degree of innovation or originality of the proposed joint-venture activity;
  - e. Whether the joint-venture activity involves applied research and how it relates to other activities, if applicable;
  - f. The desired target market, organizations involved, joint-venture activity leader, and products being promoted.
  - g. The final result and how the proposed joint-venture activity will be made available and benefit the Arizona agriculture industry.
7. A work plan describing the joint-venture activity's implementation, including the tasks to be performed, by whom and where the tasks will be conducted, and a timetable for completion. The work plan shall demonstrate the feasibility of conducting the proposed joint-venture activity and achieving the desired results.
8. The commercial application and recipients benefitting from the proposed joint-venture activity.
9. A detailed budget, indicating how the matching funds will be used and the amount of the applicant's or industry contribution.

## Historical Note

New Section adopted by final rulemaking at 6 A.A.R. 1573, effective April 5, 2000 (Supp. 00-2).

## R3-6-203. Standards for Participants

In determining whether to enter into a joint-venture, the Department shall consider the following standards:

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1. The degree to which the proposed joint-venture activity addresses a significant agriculture industry need or opportunity,
2. The applicant's experience in marketing an agricultural product in the market selected,
3. The potential beneficial impact of the joint-venture activity to agriculture in Arizona,
4. The supplemental impact on the Department's marketing objectives,
5. The financial interest of the Department, and
6. The applicant's compatibility with the marketing philosophy of the Department.

**Historical Note**

New Section adopted by final rulemaking at 6 A.A.R. 1573, effective April 5, 2000 (Supp. 00-2).

**R3-6-204. Conditions of Participation**

If the Department decides to enter into a joint-venture with an applicant, the applicant shall agree to the following conditions:

1. The applicant shall supply the amount of cash contribution determined by the Department for the joint-venture activity.
2. The state shall pay no monies before receipt of the services.
3. The Director shall be the final authority for all joint-venture activities.

**Historical Note**

New Section adopted by final rulemaking at 6 A.A.R. 1573, effective April 5, 2000 (Supp. 00-2).